

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES and
STATE OF WISCONSIN,

Plaintiffs,

v.

Case No. 10-C-910

NCR CORP., et al.,

Defendants.

ORDER

Settling Defendant Georgia-Pacific Consumer Products LP (“Georgia-Pacific”) has paid \$7,000,000.00 into a Court Registry Account as prescribed by a Consent Decree that was lodged with the Court (Dkt. 2-1) and a subsequent Order entered by the Court (Dkt. 29). The Court approved and entered that Consent Decree on April 4, 2011 (Dkt. 130). The Plaintiffs, acting on behalf of the Environmental Protection Agency (“EPA”) and the Wisconsin Department of Natural Resources (“WDNR”), have now filed a Motion asking the Court to authorize the disbursement of Georgia-Pacific’s payment (plus accrued interest) to Plaintiffs, as envisioned by that Consent Decree. With the assent of the United States and the State, Georgia-Pacific’s payment currently is invested in a 30-day Treasury Bill that matured on June 2, 2011.

NOW, THEREFORE, in light of the Plaintiffs’ Motion, and good cause appearing, **IT IS HEREBY ORDERED:**

1. Consistent with Paragraph 9 of the Consent Decree, the \$7,000,000 that Georgia-Pacific paid into a Court Registry account (and all accrued interest on that deposit) shall be disbursed to the Plaintiffs. The settlement proceeds shall be applied as follows:

a. \$6,000,000 shall be deposited in a Site-specific account to be established by WDNR, to be retained and used to conduct or finance response actions at or in connection with the Lower Fox River and Green Bay Superfund Site (the "Site").

b. \$1,000,000, plus all accrued interest earned on all funds deposited in the Court Registry Account, shall be deposited in EPA's Lower Fox River and Green Bay Superfund Site Special Account within the EPA Hazardous Substance Superfund, to be retained and used to conduct or finance response actions at or in connection with the Site, or to be transferred by EPA to the EPA Hazardous Substance Superfund.

2. The Plaintiffs shall provide the Financial Manager in the Clerk's Office account information and payment instructions to facilitate the Court Registry Account disbursements described above.

3. Pursuant to 28 U.S.C. § 1914(b) and the Judicial Conference Schedule of Fees, no fees shall be charged for services rendered on behalf of the United States in conjunction with this use of a Court Registry Account.

Dated this 20th day of June, 2011.

/s William C. Griesbach
William C. Griesbach
United States District Judge